

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS DAVID HERNANDEZ-RIOS,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent

CIVIL NO. 04-2231(HL)

re: Criminal 02-388-12(HL)

ORDER

Before the Court is Magistrate Gustavo A. Gelpí's Report and Recommendation (Docket No. 35). In his thoughtful Report and Recommendation, Magistrate Gelpí recommends that the petitioner's Section 2255 Motion be denied and the case be dismissed. To date, petitioner has not filed objections to the Magistrate Judge's Report and Recommendation, which was entered on February 28, 2006.

WHEREFORE, after a careful review of the record, the Court hereby APPROVES and ADOPTS the Magistrate's Report and Recommendation in its entirety. Judgment shall be entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 21st day of March, 2006.

s/ Héctor M. Laffitte

HECTOR M. LAFFITTE
U.S. DISTRICT JUDGE